

Ordinance No. 09-131

AN ORDINANCE AMENDING SECTION 201 (VEHICLE NOISE LIMITS) OF PART 2 (NOISE POLLUTION - VEHICLES) OF ARTICLE 8 (OFFENSES AFFECTING THE ENVIRONMENT) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO AIR COMPRESSION BRAKES

The above entitled ordinance was finally passed, adopted and approved on second reading at a regular meeting of the City Council held on November 24, 2009. The ordinance is available for public inspection and acquisition at the office of the City Clerk, 30 South Nevada Avenue, Colorado Springs, Colorado 80903.

The following is a summary of the above named Ordinance:

Section 201 (Vehicle Noise Limits) of Part 2 (Noise Pollution - Vehicles) of Article 8 (Offenses Affecting the Environment) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended relating to 9.8.201: Vehicle Noise Limits.

Kathryn M. Young, CMC/CERA
City Clerk

Publication date: November 27, 2009

ORDINANCE NO. 09-_____

AN ORDINANCE AMENDING SECTION 201 (VEHICLE NOISE LIMITS) OF PART 2 (NOISE POLLUTION - VEHICLES) OF ARTICLE 8 (OFFENSES AFFECTING THE ENVIRONMENT) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO AIR COMPRESSION BRAKES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That Section 201 (Vehicle Noise Limits) of Part 2 (Noise Pollution - Vehicles) of Article 8 (Offenses Affecting the Environment) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

9.8.201: VEHICLE NOISE LIMITS:

D. Air Compression Brakes: The use of air compression brakes ("jake brakes") within City limits is prohibited, unless otherwise posted by the City Traffic Engineer.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Section 3. City Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, and passed on first reading and ordered published this _____ day of
_____, 2009.

MAYOR

ATTEST:

CITY CLERK



FORMAL AGENDA ITEM

COUNCIL MEETING DATE: November 10, 2009

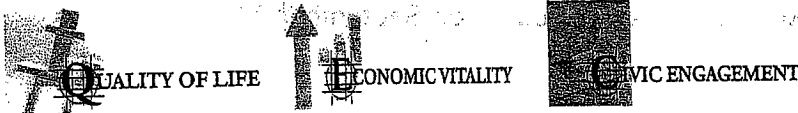
TO: Honorable Mayor and Members of City Council

VIA: Penelope Culbreth-Graft, DPA - City Manager

FROM: Nancy Johnson, Assistant City Manager
Lisa Bigelow, Economic Development Director
Craig Blewitt, Comprehensive Planning Manager *CB*
Gaye Smith, Transportation Planning Analyst *gsm*

Subject: **Ordinances to Amend the City Code Regarding Vehicle Noise Limits and Operation of Trucks**

Strategic Goals this item supports:



SUMMARY: The Citizens' Transportation Advisory Board (CTAB) and its Trucking Issues Subcommittee (TISC) completed their recommendations for changes to the City's truck route network and truck operations regulations and presented those recommendations to Council on September 22, 2009. These changes require amendments to City Code 9.8.201: Vehicle Noise Limits, and City Code Sections 10.21.101 and 10.21.104: Operation of Trucks. Ordinances to accomplish the amendments to the City Code are being presented to Council for adoption.

PREVIOUS COUNCIL ACTION: The Citizens' Transportation Advisory Board was created by Ordinance 02-101 on June 11, 2002 to advise City Council and City administration on matters relating to the City's multi-modal transportation system. City Council approved the creation of the Trucking Issues Subcommittee as an ad hoc subcommittee of CTAB on March 25, 2003.

At the September 22, 2009 Council meeting, CTAB Chairperson Jane Dillon presented the Board's proposed recommendations to amend the Freight/Truck Element of the Intermodal Transportation Plan (Master Plan) and City Code, as follows:

1. Revise the Truck Route Plan map in the Intermodal Transportation Plan as presented to Council.
2. Include the Commercial Vehicle Enforcement Process as a recommendation in Section 5.5 of the Intermodal Transportation Plan.
3. Include the Mitigation of Truck Traffic on Truck Routes as a recommendation in Section 5.5 of the Intermodal Transportation Plan.

4. Identify the lack of commercial vehicle truck parking facilities for long haul truckers as a potential community issue in Section 5.5 of the Intermodal Transportation Plan.
5. Revise City Code Section 9.8.201: Vehicle Noise Limits, to prohibit the use of Air Compression Brakes within City limits, unless otherwise posted by the City Traffic Engineer.
6. Revise the City Code Sections 10.21.101 and 10.21.104, Operation of Trucks, to allow more direct travel from a designated truck route to a destination not located on a truck route.

Council accepted all of CTAB's recommendations and approved the Ordinance Amending the Intermodal Transportation Plan by a vote of 5 to 3. Staff proposed to return to Council with the ordinances to amend City Code.

BACKGROUND: The Intermodal Transportation Plan is a citywide master plan that guides policy and decision making with respect to serving the existing and long-term future transportation needs of the community. Additionally, its purpose is to carry out the goals of the City's Comprehensive Plan and Strategic Plan. City Council adopted the ITP by Ordinance 01-58 on March 27, 2001. The amendment to the ITP approved by City Council on September 22, 2009 includes the recommendations to revise the City Code to prohibit the use of air compression brakes within City limits, unless otherwise posted by the City Traffic Engineer, and to revise City Code to allow more direct travel from a designated truck route to a destination not located on a truck route. This is a request to make these revisions to the City Code.

FINANCIAL IMPLICATIONS: N/A

BOARD/COMMISSION RECOMMENDATION: N/A

ALTERNATIVES: N/A

RECOMMENDATION: Approve the attached ordinances, which carry out the recommendations of the Citizens' Transportation Advisory Board that were approved by Council on September 22, 2009.

PROPOSED MOTIONS:

- A. Move to adopt the Ordinance Amending Section 201 (Vehicle Noise Limits) of Part 2 (Noise Pollution – Vehicles) of Article 8 (Offenses Affecting the Environment) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Air Compression Brakes.
- B. Move to adopt the Ordinance Amending Sections 101 (Definitions) and 104 (Operation of Trucks) of Article 21 (Truck Routes) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Truck Route Zones.

c: Dave Krauth, City Traffic Engineer
 Sue Skiffington-Blumberg, Public Communications Manager
 Lt. Vince Niski, CSPD
 Jane Dillon, Chairperson, Citizens' Transportation Advisory Board
 David Munger, Chairperson, Trucking Issues Subcommittee

List of attachments for this item:

- A. An Ordinance Amending Section 201 (Vehicle Noise Limits) of Part 2 (Noise Pollution – Vehicles) of Article 8 (Offenses Affecting the Environment) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Air Compression Brakes
- B. An Ordinance Amending Sections 101 (Definitions) and 104 (Operation of Trucks) of Article 21 (Truck Routes) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Truck Route Zones